

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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KORAN BROOKS,

Petitioner,

-against-

BRIAN S. FISCHER, Superintendent, Sing Sing
Sing Correctional Facility, ★ SEPT 12 2005 ★

BROOKLYN OFFICE

Respondent.
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JUDGMENT
02-CV- 6369 (JG)

FILED
CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.

An Order of Honorable John Gleeson, United States District Judge, having been filed on September 2, 2004, adopting the Report and Recommendation of Magistrate Judge Lois Bloom, dated July 15, 2004, denying the petition for a writ of habeas corpus without prejudice to petitioner returning to state court to exhaust the claims set out in his May 17, 2004 letter; and directing that if, after exhausting those claims, petitioner seeks to file another federal habeas petition, he will have to meet the requirements of 28 U.S.C. § 2244(b); it is

ORDERED and ADJUDGED that petitioner take nothing of the respondent; that the Report and Recommendation of Magistrate Judge Lois Bloom is adopted; the petition for a writ of habeas corpus is denied without prejudice to petitioner returning to state court to exhaust the claims set out in his May 17, 2004 letter; and that if, after exhausting those claim, petitioner seeks to file another federal habeas petition, he will have to meet the requirements of 28 U.S.C. § 2244(b).

Dated: Brooklyn, New York
September 09, 2005

s/Robert C. Heinemann
ROBERT C. HEINEMANN
Clerk of Court